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UNCLAS SECTION 01 OF 06 ABU DHABI 000378

SIPDIS

DEPT FOR CA/FPP; CAIRO FOR RCO; POSTS FOR FRAUD PREVENTION UNITS

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SUBJECT: Fraud Summary - Abu Dhabi

REF: 08 State 74840

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## 1. Country Conditions

Note: Many aspects of this report should be viewed in tandem with the Fraud Summary from Consulate General Dubai. While the two posts in the UAE see somewhat different applicant pools (Notably, Dubai is the primary NIV processing post for persons in Iran, while Abu Dhabi handles all IV processing in country.), many of the lessons learned from one post can be applied at the other.

Fraud in Abu Dhabi is low. Concern about visa fraud in the UAE is generally limited to visa applications from Third Country Nationals (TCNs) living in or visiting the UAE. UAE citizens ("Emiratis") are a minority in their own country, comprising less than 20 percent of the population. South Asians, mainly Indians and Pakistanis, make up 50 percent of the population. The next largest expatriate ethnic groups are Filipinos (19.6 percent), Arabs from other parts of the Middle East (13 percent) and Iranians (2.5 percent.)

Expatriate workers (many from high fraud countries) are the most likely to perpetrate general NIV fraud. Organized fraud efforts, such as document vendors or visa "touts," are uncommon in the UAE. Most IV applicants are Iranian and fraud is at times evident in fianc (K), and employment (E) visa applications. Post faces the challenging task of verifying information provided by Iranian applicants in visa interviews. For example, family relationships are evidenced by documents Post views as susceptible to fraud. Post has no viable means to regularly verify the authenticity of documents and information presented by Iranians and relies heavily on the personal interview - and staff's knowledge of Iranian culture and procedures - to determine application validity.

The UAE is a major regional and global transportation hub, and with this comes the potential to become a transit point for alien smuggling (particularly to Europe), travel of imposters, production of false documents, and other classic types of travel/immigration fraud.

Airline and immigration officials note a number of male fide passengers routinely attempting to transit the UAE, but report very few passengers carrying fraudulent U.S. documents. This may change as the UAE's two major airlines (Dubai-based Emirates and Abu Dhabi-based Etihad) expand their direct service to the U.S. Both airlines, along with several U.S. carriers also offer daily direct service between the UAE and USA. There are plans for greater aviation links in the future.

Both Posts in the UAE (Embassy Abu Dhabi and Consulate General Dubai) adjudicate a significant number of Iranian applicants.

Approximately 50% of the total NIV workload in Dubai and 80% of the total IV workload in Abu Dhabi is Iranian. Consulate General Dubai is the primary global NIV application point for Iranians resident in Iran. Embassy Abu Dhabi is the second largest post for processing of Iranian immigration cases. General discontent with the Iranian political regime and continued increase in unemployment rates and inflation continues to drive desire for Iranians to migrate. Post anticipates a continued increase in both immigrant and nonimmigrant Iranian visa applications, with a concurrent potential for increased fraud.

## 12. NIV Fraud - Abu Dhabi

There is generally little fraud associated with applications from UAE citizens. Among the expatriate community that applies for visas, detected fraud efforts are generally unsophisticated and include questionable bank statements, letters of employment, etc. Post does not rely on such documents and does not 221-g applicants specifically for them. If an applicant cannot clearly establish entitlement to the visa, post makes use of Section 214(b). Photo-substituted documents are very rare. In general, detecting Iranian visa fraud in the few NIV cases Abu Dhabi sees remains complicated by the lack of direct knowledge of Iranian documents and systems. Concern about security and technology transfer issues add to our overall vigilance.

H-1B (Temporary Skilled Worker) and L-1 (Intercompany Transfers of Executives/ Managements) visa fraud remain areas of concern. Some cases have been returned to DHS with recommendations for revocation. In the recent past the majority of cases sent for revocation involved Indian nationals who have grossly exaggerated their work experience when filing for H-1B petitions through friends or family

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in the United States. The Embassy occasionally works with the anti-fraud units in Chennai and Mumbai to verify educational documents, upon which labor petitions are partially based. While no organized fraud efforts have been detected, Post remain conscious of the fact that South Asian nationals may apply in the UAE to evade well-established anti-fraud units in India and Pakistan.

Although Abu Dhabi has had no specific reports of domestic servant abuse or trafficking in the A3 (Domestic Servants of Diplomats), G5 (Domestic Servant of Government Official) or B1 (Temporary Visitor for Business) categories, we remain vigilant to potential abuse of these visa categories.

## 13. IV Fraud - Abu Dhabi

Immigrant visa fraud is not prevalent but is at times found in K (fianc) petitions, E (employment-based) applications, and F (family-based) petitions. In fianc petitions, proof of a true relationship is often difficult to ascertain. Some of these cases involve Iranian fiancs who speak only Farsi engaged to Americans who speak only English. There are often significant discrepancies in age between the applicant and the petitioner, even as much as 20 to 30 years. Applicants often provide generic "couples photos", usually taken outside of Iran, to provide evidence of a relationship. Legitimate fianc cases nearly always include numerous photos from the engagement party, which is held in Iran and includes extended family. The majority of Iranian K-1 petitioners obtained U.S. status through marriage to an American. Frequently, those marriages lasted only the time needed to obtain LPR status. Petitioners have also often been married numerous times and sometimes have already petitioned for one or two previous fiancs (or spouses) from Iran. Post continues to see numerous Internet relationships, first-cousin relationships and relationships with large age differences.

Post has seen a number of fianc visa cases involving Iranians which raised concerns about "marriages of convenience," perhaps involving exchange of money, entered into for the sole purpose of immigration. In these cases, consular officers discovered during interviews with the Iranian fianc that a close American citizen relative - often an uncle or aunt residing in the same U.S. city as the petitioner - was

responsible for introducing an American (who is most often not Iranian-American) to his/her relative in Iran and suggesting marriage. This appears to be well outside the practice of a simple "arranged marriage", which Post accepts as a norm within Iranian culture and frequently legitimate, particularly when the petitioner is Iranian-American. The Iranian-American matchmaking relative is also yabwQ8ing enters the U.S. on a K-1 visa causing several other siblings to subsequently find their "soul mates" in the U.S., usually through the family of the original sibling's petitioning fianc or through personal profiles posted on the Internet and in Internet chat rooms.

Post occasionally receives e-mails from disgruntled K-1 petitioners, relaying stories of their fianc arriving in the U.S. and shortly thereafter either leaving them or meeting and marrying someone else. Often these e-mails from USC K-1 petitioners request the Embassy to take action against their fiancs who were issued visas.

In addition, every year Post returns several K-1 (fianc) petitions to DHS for review after determining that the couple had already married. This issue is particularly prevalent with Iranian applicants. Iranian couples engage in religious ceremonies in Iran (which are legal marriages in that country) and then apply for fianc visas. Determining if a couple is already married is very difficult. Interviewing officers depend on the personal interview, but we realize that some applicants may be successfully concealing these marriages. These already married K-1 petitioners often claim that their U.S. lawyers advised them to petition as a fianc because "the process is quicker." The existence of "temporary marriage contracts" in Iran is also problematic as they are treated as a legitimate marriage just as a "normal" marriage.

Employment-based IV petitions are also watched closely for fraud. Post is receiving a steady stream of E-3, "specialized skill" visa applications. It is often difficult to verify that the Iranian applicants possess the claimed work experience. Frequently the applicants are "self-employed" and thus can state that their experience matches the experience required in the employment

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petition. Contacting previous employers in Iran is time-consuming and ineffective. In many cases, the businesses have closed or the current manager has no record of the applicant's employment. At times, the petitioner is either a family member or a close friend of the petitioner. Post has also seen cases of the U.S. business misrepresenting the services it offers in the petition to justify the need for hiring the Iranian employee. The personal interview is of great importance in these cases.

At times, falsified Iranian documents have been submitted to support an application. The applicants had different birthdates listed on their original petition and in their birth certificates (Shenas Namehs). Of particular note is that the Shenas Namehs provided were new (duplicate), and were not the original document provided at birth. The birth date on the original document made the individual over 21 years of age whereas the new birth date made the age of the applicant under 21. The birthdates were intentionally changed so that the applicant would qualify for the visa. Post is not clear what Iranian identity authorities require to issue a duplicate Shenas Namehs. Post notes that "unmarried" sons and daughters of LPRs/AmCits have also submitted duplicate Shenas Namehs. Post suspects that in many of these cases, the applicant is married and has obtained a duplicate Shenas Nameh to conceal their marriage data so that they qualify for a particular visa class. Post has discovered that the applicants were in fact married. Post later sees petitions from American Citizens, who immigrated to the U.S. as "unmarried sons or daughters," for a spouse and children from that same period of time.

#### 14. DV Fraud - Abu Dhabi

All DV applicants in the UAE are TCNs - often from high-fraud countries including Bangladesh, Somalia, Sudan, and Yemen. Conoffs and LES have worked with fraud officers in Dhaka, Lagos, and other posts to authenticate documents, particularly birth certificates and

education credentials. The most common reason for a DV application to be disqualified is failure to include names of all family members at the time of the original application.

#### 15. ACS and Passport Fraud - Abu Dhabi

The American Citizen Services unit does not generally encounter U.S. passport fraud. Post is vigilant about possible false citizenship claims and forwards all CRBA applications of children born in Iran to U.S. Embassy Bern for adjudication.

Individuals regularly appear at Embassy Abu Dhabi requesting authentication of educational documents from diploma mills and unaccredited institutions located both inside and outside the United States. Often the unaccredited certificates or degrees have been duly accredited at the state level and bear the authentication seal of the U.S. Secretary of State. We continue to receive educational documents that were accredited by the District of Columbia even though the college or university is not located there. Educational documents accredited in a state different than the state of issue is a useful fraud indicator because this often implies that the document was rejected in the state listed on the diploma (i.e., Florida), so the individual submitted the document to DC for accreditation.

Third country nationals often submit these documents as UAE labor and immigration law requires them to provide evidence of their expertise and education in a particular field. The authentication process only certifies "the genuineness of the signature and seal or the position of a foreign official" and does not verify the validity of the document. However, the UAE government and local companies often presume that the Embassy seal is a verification of the document's content and the subject's qualifications.

CA/OCS/PRI has confirmed that the Embassy is under no obligation to authenticate these documents bearing the seal of the Department of State. Post uses U.S. Department of Education and Council for Higher Education databases to verify accreditation of educational institutions. Post refuses to authenticate documents from non-accredited institutions.

#### 16. Adoption Fraud - Abu Dhabi

Post adjudicates very few local adoption cases. Adoption per se does not exist under Sharia law in Islamic countries, including the UAE. A court may only grant guardianship. The Department has advised that guardianship does not carry the same status as adoption for purposes of U.S. immigration, and thus Posts may only issue IR-4 visas for

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children whose adoption will be finalized in the US.

Post does see several IR-4 visa applications originating from Iran each year and expects to see more Iranian-based adoption requests in the future. Adjudicating such cases is relatively difficult since U.S. legal requirements for completing an adoption and Iranian legal proceedings and documentation for guardianship do not easily collaborate. Post again stresses the challenge of authenticating Iranian documents, especially provincial documents which are often more local in nature and vary from the standard documents normally submitted for visa adjudications or for adoption cases in other countries. The potential for fraud exists. Post is working with other posts, such as Ankara, to ensure consistent adoption processing.

#### 17. Use of DNA Testing - Abu Dhabi

Post has rarely had to request this for determinations of relationship in IV cases or for CRBA/passport determinations.

#### 18. Asylum and Other DHS Benefit Fraud - Abu Dhabi

Post processes Visa 92 (asylum) cases, which are not usually found to be fraudulent from the perspective of the consular officer's responsibility to determine the family relationship. However, based on interviews with the applicants, it appears that in many cases the

underlying basis for the original asylum claim was likely to have been false. For example, Post receives following-to-join visa requests based on successful asylum claims by Iranians who had reportedly converted from Islam to Christianity, claiming persecution in Iran. Interviews with following-to-join family members often result in disclosures that the "conversions" were not real. Often the interview reveals that the applicant has very little knowledge of the conversion and answers frequently appear to be coached. Post advised the Department and DHS/VSU about such concerns and continues to complete Visas 92 processing per Department guidance. DHS/VSU has advised that they have reported our concerns to appropriate DHS offices and established an internal dialogue about the phenomenon.

#### ¶9. Alien Smuggling, Trafficking, Organized Crime, Terrorist Travel - Abu Dhabi

As Dubai and Abu Dhabi emerge as major airline transportation hubs between Europe, the U.S., Africa, the Middle East, South Asia, and East Asia - and with growing networks of direct flights to many locations in those regions - there is and will continue to be an expected increase in the level of fraudulent travel through the country. Over 80 percent of the UAE population is composed of TCNs and there are direct air links to almost every corner of the world, including service to at least seven U.S. cities.

While there are no known major networks in the UAE itself, both Abu Dhabi and Dubai are popular transit points for fraudulent travelers (most frequently transiting to Europe.) It is unlikely that UAE nationals will become involved in the fraud industry; rather, this will more likely arise from within the TCN communities that see opportunities to assist persons entering the UAE illicitly or transiting to other parts of the world.

#### ¶10. DS Criminal Fraud Investigations - Abu Dhabi

Post does not have an A/RSO-I for investigations. However, there is a strong relationship between the consular section, RSO, and the DHS Immigration and Customs Enforcement Visa Security Unit(DHS/ICE/VSU). All offices at the Embassy mutually support one another in maintaining the integrity of the passport and visa processes.

#### ¶11. Host Country Passport, Identity Documents, and Civil Registry - Abu Dhabi

UAE immigration authorities knowingly issue passports to UAE nationals born outside the UAE that incorrectly show their place of birth to be in one of the country's seven emirates. The UAE Government instituted this practice to combat discrimination in administering the UAE law against dual nationality. The decision to allow this practice is usually attributed to the former President and father of the nation, Sheikh Zayed. In 2002, Post consulted with the Department, which determined that these passports are not valid travel documents under U.S. law and can therefore not be used to travel to the United States. Generally, bearers of such passports are qualified visa applicants with legitimate travel plans to the United States. As well-intended as this UAE government policy may be, it nonetheless complicates Post's efforts to identify UAE

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nationals who are potential security threats to the United States or have other visa ineligibilities.

The UAE otherwise has modern, professional and secure nationality and identity documents and well-established procedures for obtaining and maintaining vital civil records, at least for those born within the last 30 years. Given that the modern state of the UAE only came into existence in 1971, it is more difficult to rely on any documents created before that date. However, almost all records on individuals and their families are now updated and established. UAE passports are ICAO compliant, and since they are valid for 5 years, Post has no particular problems with older versions of the UAE passport.

The UAE has also launched a mandatory national identity card program for all residents of the UAE. Several hundred thousand Emiratis,



starting with those in the armed forces and the police, now have such cards. The identity card is scheduled to be mandatory for all residents - Emirati and TCN alike - by 2010. The ID cards carry all biometric data and fingerprints on an electronic chip and are intended to eventually be used as driver's licenses, for banking purposes, for residency status verification, and more. More information on the UAE national ID card can be found at the Emirates Identity Authority's website at <http://www.emiratesid.ae/mainenglish.html>.

In 2003, the UAE began implementation of iris scanning at its airports for certain nationals. Individuals who are deported from the UAE, or are the subject of travel bans, are enrolled into the iris-scan lookout system prior to their removal/departure from the UAE. At time of entry into the UAE, travelers of certain nationalities are required to undergo iris scanning, and over 30,000 persons have been intercepted using the new technology. Iris scanning is also being deployed at land border crossings, and is currently active on the Omani border.

#### 12. Cooperation with Host Government Authorities - Abu Dhabi

Generally, Post has a good working relationship with the host government including cooperation on fraud issues as they arise. The UAEG, however, remains unresponsive to the serious passport place of birth concerns described above in paragraph 11.

#### 13. Areas of Particular Concern - Abu Dhabi

Post again highlights the known inadequacy of the UAE passport in regards to true place of birth for UAE nationals born outside the UAE. (See paragraph 11.)

Post's primary concern in IV work remains our limited ability to verify Iranian documents and information provided in interviews. Post relies on "Shenas Namehs" to confirm names, birthdates, marriages, divorces, and other data. Post has seen several cases in which duplicate Shenasehs are submitted to verify identity. In many cases, Post has found that the duplicate document does not retain the same data as the original and that opportunities exist for altering data.

With no USG presence in Iran it is difficult to conduct research to verify suspicious information or documents. Post is concerned about fraud in Iranian cases and sees the potential for abuse (with possible security ramifications) of the U.S. immigration process. Post is working on improving our knowledge of Iranian documents. We are working with the Swiss Embassy in Tehran, our counterparts from other missions with presence in Iran, and with colleagues from other U.S. Missions that handle Iranian visa work to gather Iranian legitimate documents and analyze valid trends. Despite efforts made approximately 4 years ago to gather Iranian documents, Post have not had a set on documents against which to verify Iranian claims. Efforts are being made through the Swiss and the British Embassies to gather valid and current Iranian documents.

Post suspects that the Iranian community has caught on that working for the Government of Iran often results in a delay of visa issuance. Additionally, Post suspects local Iranian travel agencies (which facilitate Iranians visiting the UAE, including accommodations in Dubai and transportation to Abu Dhabi) informally brief applicants on what to expect and say during visa interviews. Most recently, Post is working with CA/VO/L/C (the State group responsible for clearing Security Advisory Opinions) to clarify guidelines for the use of Security Advisory Opinions for Iranians with previous government and/ or military experience.

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#### 14. Staffing and Training - Abu Dhabi

Abu Dhabi does not have any dedicated fraud prevention staff. Visa team members - LES and officer alike - look for fraud on a

case-by-case basis. When the possibility of fraud is suspected, Post works to investigate that case. With an Iranian- American IV Chief and 3 Iranian LES staff, much IV fraud work can be done in native language and by investigating original sources in Iran. The DHS Visa Security Unit provides excellent assistance on fraud prevention matters and provides training to our consular staff, UAE immigration, and others for the detection of fraudulent documents, travel, imposters, DHS database reviews, and the whole range of fraud issues.

Olson